



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: June 6, 2006
Comment Deadline: July 7, 2006
Corps Action ID #: SAW 2006 32485 234

The Wilmington District, Corps of Engineers (Corps) has received an application from the City of Winston-Salem seeking Department of the Army authorization to impact approximately 489.5 linear feet of stream channels and 0.12 acres of wetlands of the jurisdictional waters of Brushy Fork Creek associated with the proposed realignment of Bowen Boulevard at its New Walkertown Road (US 311) intersection that would create a signalized intersection between Bowen Boulevard and New Walkertown Road at Overlook Drive, in Winston-Salem, Forsyth County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102

AGENT (if applicable): S&ME, Inc.
3718 Old Battleground Road
Greensboro, NC 27410

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act.

Location

The proposed project site is located southwest of the existing intersection of Bowen Boulevard and New Walkertown Road (US 311) in Winston Salem, Forsyth County, North Carolina. Coordinates (in decimal degrees) for the site are 36.1201 North, 80.2089 West. The site is adjacent to Brushy Fork Creek in the Yadkin River Basin (8-Digit Cataloging Unit 03040101).

Existing Site Conditions

General land use in the vicinity of the project consists of highly developed residential neighborhoods and several commercial businesses. The project impact area is bordered to the north by a commercial business, bordered to the east by New Walkertown Road (US 311), bordered to the south by single family apartments, and bordered to the west by an area controlled by the Forsyth County Airport Commission. Vegetation within the proposed impact is mostly forested with red maple (*Acer rubrum*) and sweet gum (*Liquidambar styraciflua*) and understory vegetation consisting of chinese privet (*Ligustrum sinense*) and multiflora rose (*Rosa multiflora*). Two jurisdictional streams are present within the property's boundaries, both are unnamed tributaries of Brushy Fork Creek. Both stream channels have been degraded by the surrounding urban land use. Household trash litters the greatly incised and unstable stream channels. The site also includes an approximate 0.12 acre riparian wetland located between the two jurisdictional stream channels. The vegetation within the wetland is predominately shrub and herbaceous species including japanese honeysuckle (*Lonicera japonica*), multiflora rose (*Rosa multiflora*), and knotweed (*Polygonum*, spp.).

New Walkertown Road (US 311) is a five-lane undivided facility which runs from Martin Luther King, Jr. Drive in Winston-Salem to Walkertown. It has a posted 45 miles per hour speed limit, but operating traffic speeds on the roadway often exceed 55 miles per hour. Fifty percent (50%) of the traffic on southbound New Walkertown Road originates from Carver School Road. The intersection of New Walkertown Road and Carver School Road is only 750 feet north of the intersection of New Walkertown Road and Bowen Boulevard. The close proximity of the intersections impacted further by the traffic volumes and average traffic speeds has resulted in serious accidents on this roadway including several fatalities.

Applicant's Stated Purpose

As stated by the applicant, the purpose of the project is to improve traffic flow and public safety including pedestrian safety on New Walkertown Road by relocating the Bowen Boulevard intersection from its existing location 750 south of the existing Carver School Road intersection.

Project Description

The project consists of the realignment of Bowen Boulevard south of its current location to a new intersection with New Walkertown Road increasing the distance of the current Bowen Boulevard intersection from the current Carver School Road intersection with New Walkertown Road by approximately 1800 feet. The new intersection would be located at the existing Overlook Dive intersection with New Walkertown Road. This

new intersection would be controlled by a traffic signal including a signal control for pedestrian crosswalks.

Approximately 489.5 linear feet of stream channel and 0.12 acres of wetlands of the jurisdictional waters of Brushy Fork Creek would be piped and filled in conjunction with the road construction.

The applicant proposes to mitigate for permanent impacts to jurisdictional waters (both stream channels and wetlands) by payment to the North Carolina Ecosystem Enhancement Program (EEP). By letter dated March 3, 2006, the EEP stated their willingness to accept payment and provide 0.12 acres of riparian wetland mitigation and 490 linear feet of warm water stream channel mitigation in the Yadkin Basin (8-Digit Cataloging Unit 03040101).

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by June 30, 2006.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service."

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate

the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, July 7, 2006. Comments should be submitted to John Thomas, Raleigh Regulatory Field Office, 6508 Falls of the Neuse Road, Suite 120, Raleigh, NC 27615.

RECEIVED

MAY 17 2006

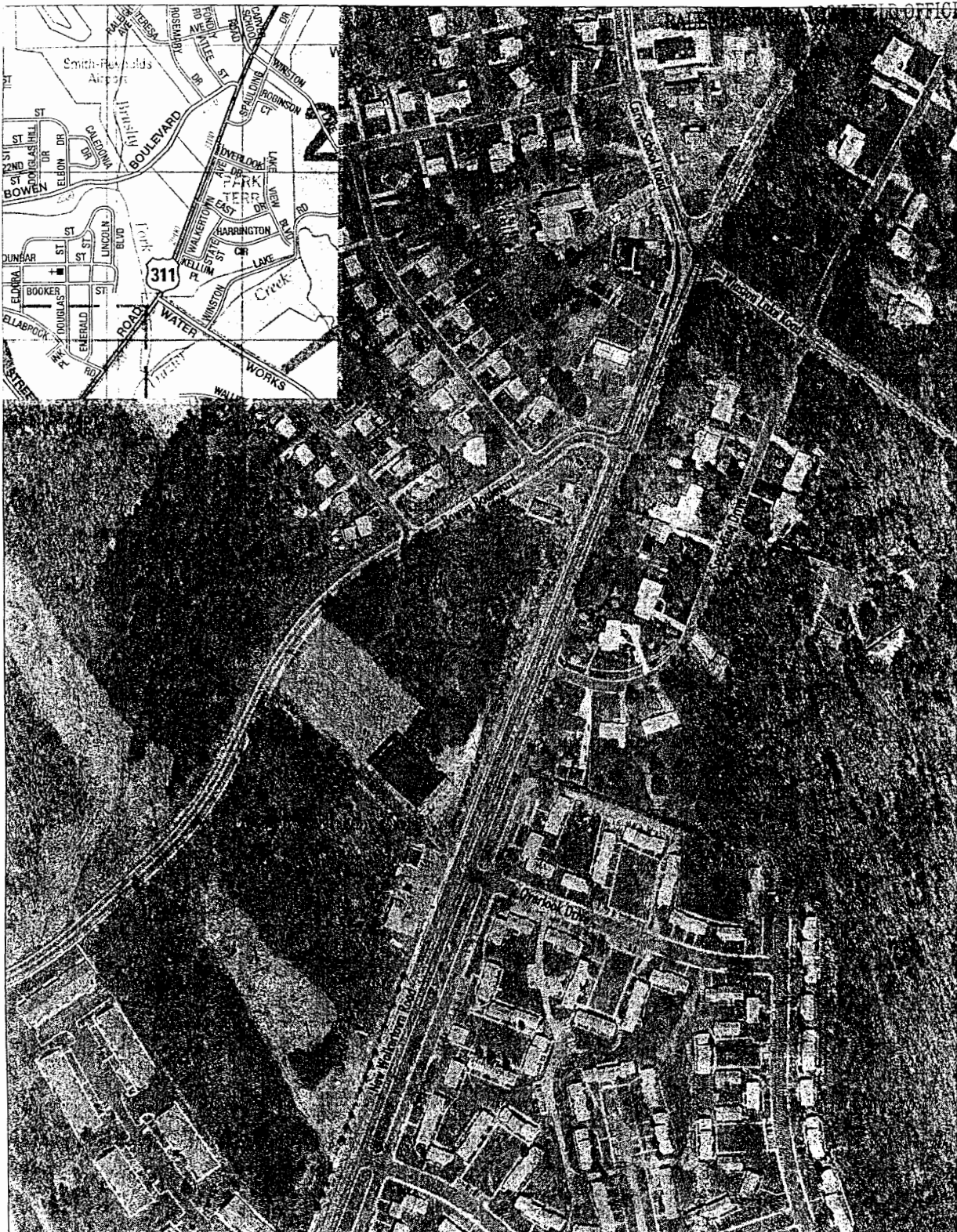
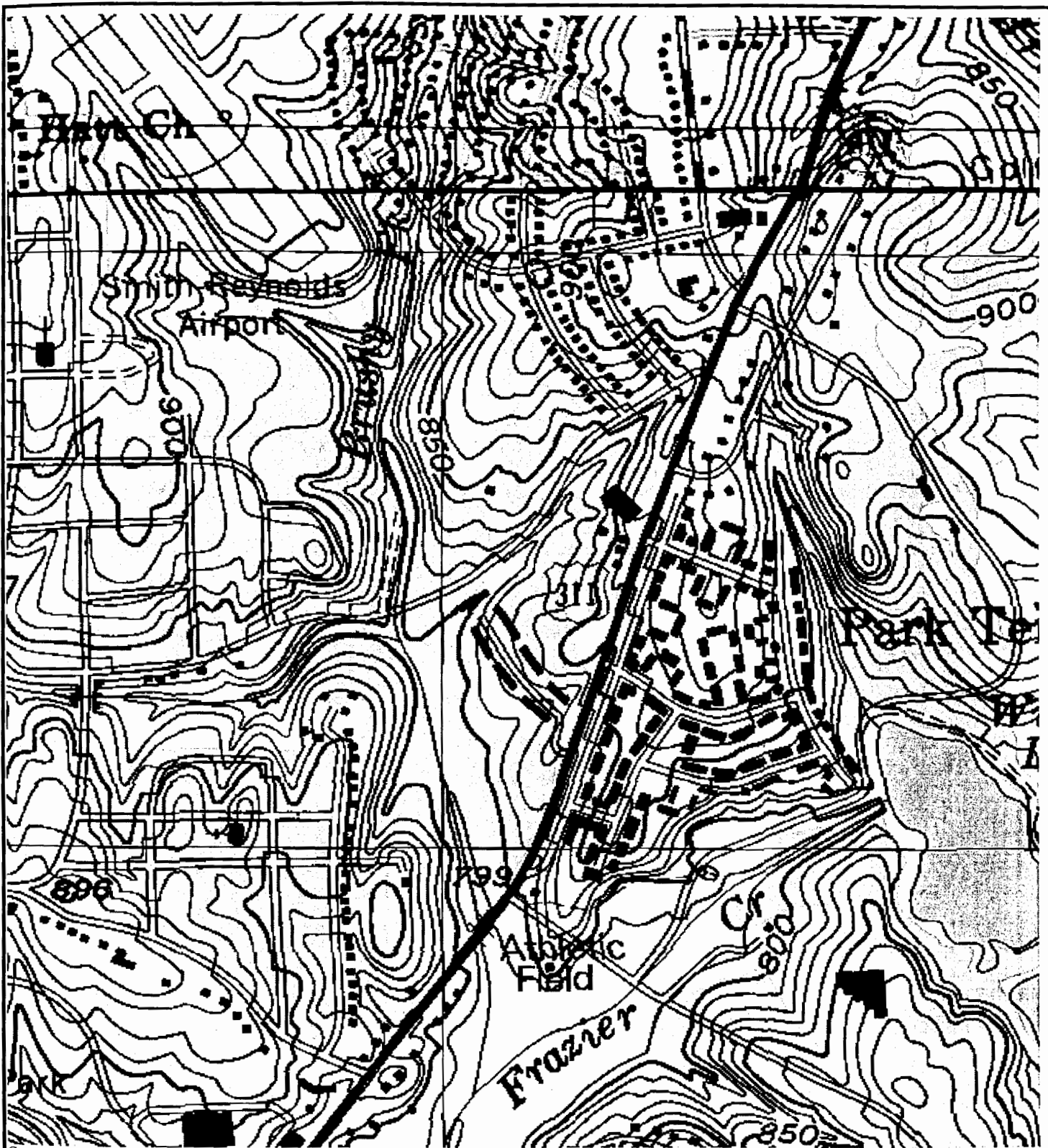


Figure1. Bowen Boulevard Study Area

1 of 4



Source: Topozone.com

SCALE: NTS
 CHECKED BY: JBP
 DRAWN BY: MLM
 DATE: 5/16/2006



S&ME

ENVIRONMENTAL SERVICES • ENGINEERING • TESTING

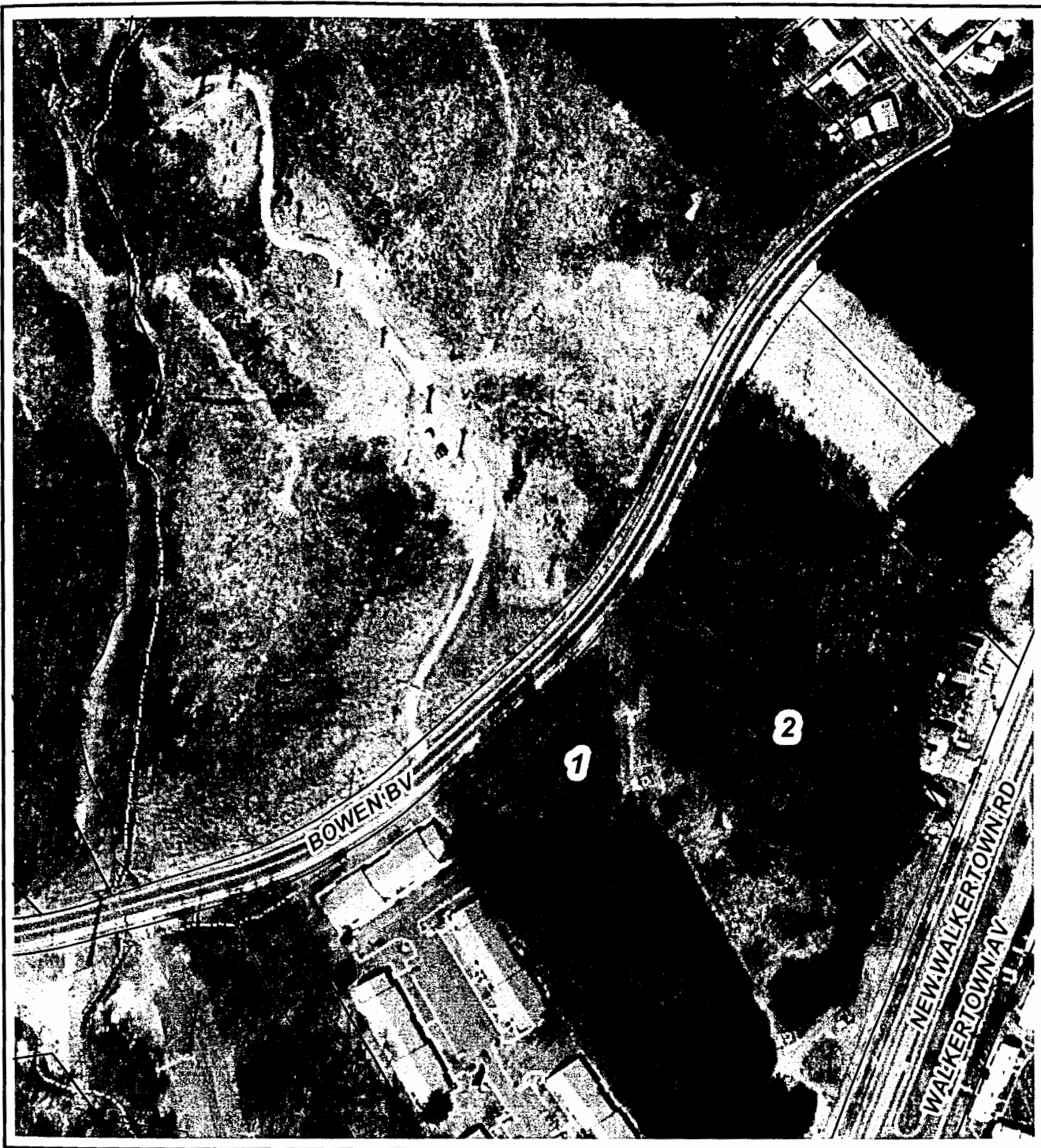
Bowen Boulevard Extension
 Bowen Boulevard & New Walkerton Road
 Winston-Salem, North Carolina

JOB NO. 1588-06-034

FIGURE NO.

2

2 of 4



LEGEND

- Perennial
- Intermittent NonSignificant
- Stormwater
- Not Evaluated



Wetlands



Parcel Boundaries

Stream Numbers



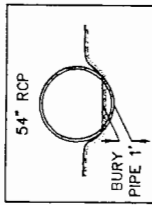
City of
Winston-Salem

100 0 100 200 Feet

Bowen Boulevard

Figure
3

| POINT NUMBER | NORTH COORDINATE | EAST COORDINATE |
|--------------|------------------|-----------------|
| 2107 | 864698.340 | 1642980.524 |
| 2108 | 864727.738 | 1642962.111 |
| 2109 | 864737.352 | 1643002.672 |
| 2110 | 864694.225 | 1643056.300 |
| 2111 | 864672.311 | 1643004.589 |
| 2112 | 864690.316 | 1642879.023 |



DETAIL OF PIPE INSTALLATION

PROPOSED STREAM IMPACT 1
 IMPACT LENGTH = 334.0 LF
 AREA OF IMPACT = 0.06 ACRES

40F4

